

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Blue Spike, LLC,

Plaintiff,

v.

Texas Instruments, Inc., et al.,

Defendants.

CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

Blue Spike, LLC,

Plaintiff,

v.

Lumidigm, Inc.,

Defendant.

CASE NO. 6:12-CV-681 MHS

CONSOLIDATED CASE

Jury Trial Demanded

AGREED MOTION TO DISMISS LUMIDIGM, INC.

Plaintiff Blue Spike, LLC, on the one hand, and Defendant Lumidigm, Inc., on the other, have reached a settlement of the above-captioned matter and have agreed to dismiss the claims, counterclaims, and causes of action between them.

Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Blue Spike, LLC stipulates to the dismissal with prejudice of all claims and causes of action asserted in this case against defendant Lumidigm, Inc., and defendant Lumidigm, Inc. stipulates to the dismissal with prejudice of all counterclaims and defenses asserted in this case against Blue Spike, LLC. The parties shall bear their own attorneys' fees, expenses and costs.

By: /s/ Randall T. Garteiser

Randall T. Garteiser
Lead Attorney
Texas Bar No. 24038912
rgarteiser@ghiplaw.com
Christopher A. Honea
Texas Bar No. 24059967
chonea@ghiplaw.com
Christopher S. Johns
Texas Bar No. 24044849
cjohns@ghiplaw.com
GARTEISER HONEA, P.C.
218 North College Avenue
Tyler, Texas 75702
(903) 705-0828
(903) 526-5477 fax

Kirk J. Anderson
California Bar No. 289043
Peter S. Brasher
California Bar No. 283992
GARTEISER HONEA, P.C.
44 North San Pedro Road
San Rafael, California 94903
(415) 785-3762
(415) 785-3805 fax

ATTORNEYS FOR BLUE SPIKE, LLC

By: /s/ Robert F. Kramer

Robert F. Kramer
DENTONS US, LLP
1530 Page Mill Road, Suite 200
Palo Alto, CA 94304-1125
United States
D +1 650 798 0300
F +1 650 798 031
robert.kramer@dentons.com

*Counsel for Defendant
Lumidigm, Inc.*

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email.

/s/ Randall T. Garteiser

CERTIFICATE OF CONFERENCE

I certify that on behalf of Blue Spike, LLC, I have met and conferred with counsel for Defendant on January 29, 2013 regarding the relief requested herein. Counsel for Defendant has agreed to this motion.

/s/ Christopher A. Honea